



UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

DENISE CARLON, ESQUIRE  
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Attorneys for Secured Creditor  
Planet Home Lending, LLC

In Re:

Mayra L. Allaico  
Debtor

Order Filed on November 30, 2023  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

Case No.: 23-17243 RG

Hearing Date: 12/20/2023 @ 8:30am

Judge: Rosemary Gambardella

**ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO THE  
CONFIRMATION FO DEBTOR'S CHAPTER 13 PLAN AND PROVIDING FOR STAY  
RELIEF**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby  
**ORDERED**

**DATED: November 30, 2023**

A handwritten signature in black ink, appearing to read "Rosemary Gambardella".  
\_\_\_\_\_  
Honorable Rosemary Gambardella  
United States Bankruptcy Judge

Debtor:

Mayra L. Allaico

Case No.:

23-17243 RG

Caption:

**ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO  
CONFIRMATION OF DEBTOR'S CHAPTER 13 PLAN AND  
PROVIDING FOR STAY RELIEF**

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, Planet Home Lending, LLC, the holder of a first mortgage on property known as 129 Paine Avenue, Irvington, NJ, 07111, Denise Carlon appearing, by way of objection to the confirmation of Debtor's Chapter 13 Plan, and this Court having considered the representations of attorneys for the Secured Creditor and Robert C. Nienson, Attorney for Debtor, and for good cause having been shown;

It is **ORDERED, ADJUDGED and DECREED** that the automatic stay is vacated effective May 1, 2024 to permit the movant to institute or resume and prosecute to conclusion one or more actions in the court(s) of appropriate jurisdiction to pursue the movant's rights in the following:

■ Real Property More Fully Described as:

**Land and premises commonly known as 129 Paine Avenue, Irvington, NJ, 07111**

It is further **ORDERED** that the Secured Creditor may join the Debtor and any trustee appointed in this case as defendants in its action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code; and

It is further **ORDERED** that stay relief is granted as to the subject property regardless of the provisions in the Debtor's chapter 13 plan stating otherwise; and

It is further **ORDERED** that Secured Creditor, its successors or assignees, may proceed with its rights and remedies under the terms of the subject Mortgage and pursue its State Court remedies including, but not limited to, taking the Property to Sheriff's Sale, in addition to potentially pursuing other loss mitigation alternatives, including, but not limited to, a loan modification, short sale or deed-in-lieu foreclosure. Additionally, any purchaser of the Property at Sheriff's Sale (or purchaser's assignee) may take any legal action for enforcement of its right to possession of the Property;

It is **FURTHER ORDERED, ADJUDGED and DECREED** that the Debtor is to make payments in accordance with the terms of the note and mortgage while the stay is in effect; and

Debtor: Mayra L. Allaico

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**ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO  
CONFIRMATION OF DEBTOR'S CHAPTER 13 PLAN AND  
PROVIDING FOR STAY RELIEF**

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtors' Chapter 13 bankruptcy proceeding, if any of the cure payments or regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtors shall have fourteen days to respond; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that Secured Creditor's objection to the confirmation of Debtor's Chapter 13 plan is hereby resolved.

In re:

Mayra L Allaico

Debtor

Case No. 23-17243-RG

Chapter 13

District/off: 0312-2

User: admin

Page 1 of 1

Date Rcvd: Nov 30, 2023

Form ID: pdf903

Total Noticed: 1

The following symbols are used throughout this certificate:

**Symbol      Definition**

- + Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

**Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 02, 2023:**

<b>Recip ID</b>	<b>Recipient Name and Address</b>
db	+ Mayra L Allaico, 129 Paine Ave, Irvington, NJ 07111-2902

TOTAL: 1

**Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.**

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

**BYPASSED RECIPIENTS**

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

**NOTICE CERTIFICATION**

**I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Dec 02, 2023

Signature: /s/Gustava Winters**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 30, 2023 at the address(es) listed below:

Name	Email Address
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Denise E. Carlon	on behalf of Creditor PLANET HOME LENDING LLC dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com
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Marie-Ann Greenberg	magecf@magrue.com
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Robert C. Nisenson	on behalf of Debtor Mayra L Allaico r.nisenson@rcn-law.com doreen@rcn-law.com;g2729@notify.cincompass.com;nisensonrr70983@notify.bestcase.com
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U.S. Trustee	USTPRegion03.NE.ECF@usdoj.gov
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TOTAL: 4